IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4691 OF 2007
IN
FIRST APPEAL NO.3100 OF 2006

M/s.Efficient Construction Company ..Applicant

Vs.

The Managing Director ..Respondent

Mr.K.N.Kore for the Applicant.
Mr.C.N.Lokesh h/f.Mr.G.S.Hegde for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
SMT.R.S.DALVI,JJ.

DATE : 18TH SEPTEMBER,2007

P.C.

1. Heard the learned Counsel for the parties.

Rule. Rule is made returnable forthwith. By this Application, the Applicant is seeking a slight modification in our earlier order dated 7th June,2007 passed in Civil Application No.1866 of 2007. By way of modification, the Applicant prays that they will furnish a bank guarantee of a Nationalised Bank instead of providing a solvent security, even the learned Counsel for the Respondent has no objection for the same.

2. Under these facts and circumstances of the case, Rule is made absolute in terms of prayer clause (a). The Applicant shall furnish a bank guarantee of Rs.17,23,915/- within a period of two weeks. In the event, the Applicant does not furnish a bank guarantee

within a period of two weeks, the deposited amount shall be invested in a Fixed Deposit of a Nationalised Bank for an initial period of three years and to be renewed thereafter from time-to-time. Civil Application stands disposed of accordingly.

3. Issuance of certified copy of this order is expedited. Parties to act on the authenticated copy of this order.

(SMT.R.S.DALVI,J.) **(DR.S.RADHAKRISHNAN,J.)**